

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSFILED
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COY PHELPS et al.,
Petitioner,

v.

DAVID L. WINN, et. al.,
Respondents.

CASE NO: ~~U.S. DISTRICT COURT~~
~~DISTRICT OF MASS~~
MOTION FOR A TEMPORARY
RESTRAINING ORDER AND
INJUNCTION

05-40063 GAO

COMES NOW the above Petitioner COY PHELPS pursuant to Rule 65 of the Federal Rules of Civil Procedure and 28 U.S.C. § 2284(b)(3) and moves this Court to issue an Injunctive Restraining Order against the Respondents enjoining them from confining future Federal Unconvicted Civil Mental Patients (who are committed under 18 U.S.C. § 4243 and 18 U.S.C. § 4246) in any U.S. Bureau of Prison Facility.

Petitioner requests that the Respondents be enjoined from administering any form of forced treatment, care, therapy, or rehabilitative Program upon current unconvicted Civil Mental Patients who are committed under 18 U.S.C. §4243 or 18 U.S.C. §4246 unless the patient is disorderly, disruptive, or confrontational to such a degree that he (or she) imposes a threat to the security of the institution or to the property of the institution or others.

Petitioner alleges that if the Court does not issue the Order, he will suffer real irreparable physical, mental, and emotional harm and injury at the hands of the Respondents and their delegated subordinates.

DATE: 4-7-05

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